

CHAPTER 6

DESIGNING PROGRAM SERVICES

INTRODUCTION

Services provided by teen court programs affect a broad segment of the community, particularly youth. To develop effective services, organizers should examine the needs of the youth being served in conjunction with the program's goals and objectives. Programs seeking to adopt a balanced and restorative justice model also should consider the needs of victims and the community and develop services that attend to their needs and interests as well.

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The nature of teen court programs allows for considerable flexibility and creativity in determining the types of services and sentencing options that can be offered. The objective is to institute services that offer maximum benefits to meet the needs of offenders, victims, and the community, while still adhering to the established goals of the program. Throughout this process, attention should be paid to how the teen court can provide the identified services (i.e., in-house or through referral to community agency).

At the conclusion of this chapter, readers will have information needed to

- ◆ examine the needs of youth, victims, and the community;
- ◆ discuss the types of sentencing options and services currently being used by teen court programs;
- ◆ develop and implement sentencing options and additional program services that address the needs of youth (offenders and volunteers), victims, and the community for their local teen court program; and
- ◆ form relationships and develop interagency agreements with service providers.

EXAMINING NEEDS OF YOUTH, VICTIMS, AND THE COMMUNITY

To develop effective and comprehensive program services, teen court program organizers should keep the goals and objectives and target population of the program in mind while examining

- ◆ the needs of youth participating in the program (i.e., offenders and volunteers);
- ◆ the needs of victims; and
- ◆ the needs of the community.

The following section will briefly outline some of these needs. However, it should be noted that while each of these groups has common needs irrespective of the community in which it resides, program developers also should pay attention to issues and needs of these entities that are unique to the local environment.

Youth Needs

Teen courts not only provide a means for intervening early in the lives of youthful offenders once a crime has been committed, they also serve as a prevention program for the many community youth who volunteer. The ability of teen courts to influence such a broad segment of the youth population makes it important that program developers and organizers understand and attempt to address factors commonly associated with juvenile delinquency.

According to the risk-focused delinquency prevention approach (Hawkins and Catalano, 1992, as cited by the Office of Juvenile Justice and Delinquency Prevention [OJJDP], 1993), to prevent a problem from occurring, factors contributing to the development of the problem

should be identified and ways to address and improve those factors should be developed. In its *Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders*, OJJDP (1993) points to research that documents the five risk factors listed in Figure 6-1 as contributors to juvenile delinquency. The OJJDP report states that to counter these risk factors, programs should strive to develop services that help

- ◆ enhance individual characteristics;
- ◆ increase bonds with prosocial family members, teachers, and friends; and
- ◆ promote healthy beliefs and clear standards of behavior.

Figure 6-1: Risk Factors For Juvenile Delinquency

Risk Factors
◆ Individual characteristics (e.g., alienation, rebelliousness, lack of bonding to society);
◆ Family influences (e.g., parental conflict, child abuse, family history of problem behaviors such as substance abuse, criminality);
◆ School experiences (e.g., early academic failure, lack of commitment to school);
◆ Peer group influences (e.g., friends who engage in problem behavior such as minor criminality, gangs, violence); and
◆ Neighborhood and community factors (e.g., economic deprivation, high rates of substance abuse and crime, low neighborhood attachment).

Source: OJJDP, 1993

While individual characteristics (e.g., difficult temperament and negative social orientation) may be difficult to change, increasing prosocial

bonds and promoting standards of behavior may be easier for programs to effect. In essence, youth need to be presented with opportunities to make meaningful contributions to their families, schools, peer groups, and communities (OJJDP, 1993).

In essence, youth need to be presented with opportunities to make meaningful contributions to their families, schools, peer groups, and communities (OJJDP, 1993).

Also, when designing program services for young people, the services need to be relevant to both the current interests and future needs of youth. Program developers should recognize that the interests and needs of youth are affected by many individual and group factors and can change over time (Carnegie Council on Adolescent Development, 1992). Therefore, input from youth on services to be offered should be requested during the developmental stage, as well as periodically throughout the life of the teen court program.

In addition to addressing the serious concerns of youth, programs also should respond to their desire for fun and friends. Programs can accomplish this by providing opportunities for youth to socialize, hang out, and choose from an assortment of interesting and challenging activities (Carnegie Council on Adolescent Development, 1992).

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Victim Needs

Traditionally, crime victims have been poorly treated within the very system that should provide them with support, information, and assistance. However, over the last decade, there has been a growing awareness of the needs and concerns of victims. While slow progress is

being made in the adult system, there is still much room for improvement in the juvenile justice system. Understanding the needs and wants of crime victims and becoming aware of the services provided to victims within other juvenile justice agencies (i.e., law enforcement, prosecutors, probation, juvenile court) will help teen court programs determine the types of services they can and should offer.

Research suggests that the responses of victims of juvenile offenders to victimization and the criminal justice process often mirror those of victims of adult offenders, including psychological distress, financial loss, and dissatisfaction with participation in the justice system. These problems often are intensified by factors such as the perceived and real lack of financial resources of juvenile offenders; societal frustrations with parental excuses for children's deviant behavior; the psychological reaction of victims resulting from the fact that it was a child that hurt them; and the reality that in many cases, the child who victimized them was someone with whom they are acquainted or close (American Correctional Association [ACA] Victims Committee, 1994).

The challenge to those working in the field of juvenile justice is to develop programs and implement strategies that are offender-directed, yet victim-centered. Primarily, crime victims want and need input, notification, and information. Erez and Tontodonato (1992) note that meaningful victim involvement in the justice process will help victims to

- ◆ regain a sense of control over their lives;
- ◆ restore the losses they sustained; and
- ◆ reduce the feelings of alienation and increase their satisfaction with the justice process.

For the juvenile justice system to be truly responsive, implementing effective victim services requires a coordinated and collaborative effort among all juvenile justice system players. Such an effort will help ensure continuity of

services and ultimately should help to increase victim satisfaction.

Community Needs

Communities are made up of a multitude of individuals and entities. There is a high desire by those who live and work in communities to be safe and secure within that setting. The National Crime Prevention Council (1986) notes the following:

- ◆ Parents want safe environments in which to raise families.
- ◆ Businesses want to keep the area around their stores and offices safe and secure so customers will not be driven away.
- ◆ Schools are concerned about the development of minds, parental involvement in education, and the safety of the schools.
- ◆ Religious leaders, churches, and synagogues are concerned for the lives of their congregation members.

Wilson and Howell (1993) suggest that for delinquency prevention strategies to be successful, they should be positive in orientation and comprehensive in scope. This approach requires a coordinated and collaborative effort among all sectors of the community. Teen court programs offer individuals and agencies an opportunity to be involved directly in the quest to prevent crime in their communities.

Also, as a residual benefit, it is hoped that as youth participate in the teen court program, they will begin to feel they have a personal stake in the future of their communities.

In addition to offering communities a chance to address the problem of crime locally through direct involvement, teen court programs fulfill other community needs as well. For example, numerous private nonprofit agencies in the community benefit from the many hours of unpaid labor (community service) performed by

juvenile offenders. Also, as a residual benefit, it is hoped that as youth participate in the teen court program, they will begin to feel they have a personal stake in the future of their communities. Through this personal investment, youth may see the value of living and behaving as responsible and productive citizens and, thus, enhance public safety.

DEVELOPING PROGRAM SERVICES

Once the needs of youth, victims, and the community have been examined, program developers should begin to determine the types of services the program will provide. First and foremost, it will be necessary for programs to consider the sentencing options that can be imposed on defendants. These options should be formed within the context of the target population being served. Programs also should consider additional services that may be provided to victims and the community, as well as services that will be of interest and benefit to youth who volunteer with the program.

Throughout this process, teen court program organizers should refer to the community needs and resources assessment (as discussed in Chapter 2) to determine services already available in the community and, thus, avoid duplicating and overlapping services. Also, if possible, teen court programs should seek to form interagency agreements with agencies that provide services that are beneficial for teen court participants. A further discussion of interagency agreements can be found later in this chapter.

Designing Sentencing Options

Some teen court programs establish sentencing options with specific guidelines for jurors to follow when determining a constructive sentence. Other teen court programs suggest sentences, yet give jurors considerable flexibility in determining a constructive sentence. Figure 6-2 depicts some of the most common

sentencing options used by teen court programs. This section will examine these options briefly and discuss their application within the teen court setting.

Figure 6-2: Common Teen Court Sentencing Options

Common Teen Court Sentencing Options	
◆	Community service hours
◆	Oral or written apologies to victims
◆	Jury duty
◆	Essays
◆	Education workshops

Source: APPA, 1994

Community Service

The use of service and various forms of unpaid labor as a sanction in the American juvenile and criminal justice system can be accounted for as far back as the early 20th century. Historically, community service has revolved around punitive, menial assignments, while little attention has been paid to the advantages that community service can provide by influencing offenders' attitudes and providing public benefits (Maloney and Bazemore, 1994). To begin reaping these potential benefits, Maloney and Bazemore suggest that the following principles be applied when designing community service projects:

- ◆ The community service assignment should be seen as worthwhile work.
- ◆ Youth should be seen as resources necessary for the successful completion of the task.
- ◆ Attention should be paid to assigning youth to projects that will help them gain transferable competencies that can be used and applied beyond the community service experience.
- ◆ Whenever possible, projects should be designed that provide youth with a sense of accomplishment, and closure, and an

opportunity for community recognition.

- ◆ Programs should seek to design community service projects that focus on helping the disadvantaged.

By applying these principles, teen court programs can help youthful offenders increase their self-image, develop needed life skills, and make a meaningful contribution to their community, while still holding them accountable for their actions.

The Colonie Youth Court Program of the Youth Courts of the Capital District, Inc., in Latham, New York, developed a community service program that attempts to incorporate these principles. According to Program Director Scott Peterson, as part of their community service program, when possible, youth are assigned to community service projects in groups or teams supervised by teen court staff or adult volunteers. Efforts are made to design the project around specific community needs (e.g., beautification of an area park). In addition to overseeing the mere performance of the task, the adult supervisor also explains to the youth the purpose of the community service assignment and the benefit that it will have for the community. Although this approach is time and labor intensive for staff to manage, it can help provide a more meaningful experience for youth involved. The team approach also helps youth learn to work together cooperatively toward the successful completion of a task.

Program organizers initially have to make a determination concerning whether jurors will be allowed flexibility when assigning community service hours or whether they will be asked to assign hours based on a predetermined grid. Overall, teen court programs vary according to the number of community service hours that can be imposed on an offender. The number of hours reported by American Probation and Parole Association (APPA, 1994) teen court

survey respondents ranged anywhere from 1 to 200. In addition, some programs set limits on the number of hours that can be ordered according to the type of offense committed (see Table 6-1 for a sample sentencing grid), while others allow the jury members more discretion and flexibility when setting hours.

When deciding whether to establish community service limits or whether to allow for more flexibility on the part of jury panels, program organizers and staff may want to consider the following questions:

- ◆ Are juries relatively consistent in the number of hours assigned to offenders with similar offenses and circumstances? If not, what are the possible reasons for the disparity?
- ◆ Are sentences having to be modified by teen court staff because youth are not able to complete the assigned hours within the established time frame? Do jurors understand the time frame in which sentences must be completed? Are they asked to keep factors such as the time frame of sentence completion, school and extracurricular activities, and jobs of youth in mind when determining the sentence?
- ◆ If limits on the number of hours that can be imposed are set, are jurors expressing concern or frustration over the established limits? What is the basis for their concern or frustration?

These same questions can be examined as the program progresses to determine if adjustments in the sentencing policy are necessary.

Jury Duty

In addition to community service, most teen court programs require defendants to serve at least once on a jury panel as part of their sentence. There are reports of programs in which defendants have been ordered to serve as many as 12 times as a juror (APPA, 1994). The

Table 6-1: Sample Teen Court Sentencing Grid

CLASS 1		
Includes but not limited to	Defective lights No helmet No seat belt Equipment violations Antinoise violations Following too closely (City Ordinance)	COMMUNITY SERVICE: 8-16 hours JURY DUTY: 1 term
CLASS 2		
Includes but not limited to	Wrong side of street Impeding traffic Red light/stop sign violation No turn signal/improper turn Unsafe lane change Speeding 1-15 MPH over limit Disobeying traffic control device One-way street Racing-exhibition acceleration	COMMUNITY SERVICE: 16-32 hours JURY DUTY: 2 terms
CLASS 3		
Includes but not limited to	Driver's license/restrictions Speeding 16-24 MPH over limit Speeding - School zone, 1-15 MPH over limit Insurance-no accident Littering	COMMUNITY SERVICE: 32-48 hours JURY DUTY: 3 terms
CLASS 4		
Includes but not limited to	Racing-contest for speed Speeding 25+ MPH over limit Speeding- School zone, 16+ MPH over limit Passing school bus Insurance-accident Accident violations All nontraffic violations	COMMUNITY SERVICE: 48-64 hours JURY DUTY: 4 terms

Source: Fort Worth Teen Court Program, nd.

philosophy behind this requirement, according to King (1990) is that jury duty helps

- ◆ restore self-esteem in former defendants;
- ◆ reinforce the concept of accountability to the community by placing offenders in a

situation in which they must assess the unlawful actions of one of their peers;

- ◆ return offenders psychologically to the right side of the law; and

- ◆ increase the chance that the jury pool of the teen court program will be composed of a cross section of the juvenile population of the community.

It also is hoped that defendants' experience as jurors will entice them to return to the teen court program as volunteers, because it is through sustained involvement in the program that the greatest benefits are likely to be realized.

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However, the diversity among youth involved in jury deliberations often creates situations in which youth are confronted with persons with differing viewpoints and background. These differences can cause conflict during the deliberations, and if not prepared adequately, youth may feel frustrated and defeated by the experience. (See Figure 6-3.) Therefore, programs should strive to implement services (e.g., volunteer training sessions, educational workshops) that teach youth how to react and respond appropriately to differing viewpoints and potentially volatile situations. Programs that arm youth who participate on juries with appropriate skills can help increase the power of peer influence in this setting; and hopefully, youth who participate in the jury process can apply what they learn when confronted with

Figure 6-3: Youth Perspective on Jury Duty Requirement

In April 1995, APPA's Teen Courts Project Manager visited Buncombe County Teen Court Program in Asheville, North Carolina, and the Cumberland County Teen Court Program in Fayetteville, North Carolina. During the visit, a group of youth teen court participants (volunteers and past defendants) were asked for input on a variety of issues related to teen court. Interestingly, both groups had similar concerns when jury duty and jury deliberations were discussed. There was a consensus among the participants of these programs that defendants should not be required to serve jury duty as a portion of their teen court sentence. (The majority of teen court programs do require defendants to serve at least once on a jury panel.) Their reasoning was that many times the defendants did not want to be there, which had the potential of creating conflict and chaos during deliberations. Several of the participants said they did not always know how to react and respond when this conflict arose, and some of those who volunteered in other capacities with the teen court (attorneys, clerks, bailiffs) said they tried to avoid jury duty whenever possible because of this problem.

When asked for suggestions on how the problem could be addressed by teen court programs, their responses included the following:

- ◆ Don't require defendants to serve on jury duty. For those who choose not to serve on jury duty, additional community service hours or some other appropriate sanction could be assigned.
- ◆ Have an adult monitor in the jury room. The presence of an adult could help reduce the level of chaos and may help jurors take their roles more seriously.
- ◆ Before the hearings, have new jurors go through an orientation session that explains the responsibilities of being a juror.

other difficult choices and situations in their personal lives.

Educational Workshops

Educational workshops on a variety of subjects are offered as sentencing options for many teen court programs. These workshops are designed to promote awareness in youth of various topics (e.g., substance abuse) and increase life skills (e.g., conflict resolution, problem solving). Topics of workshops conducted by teen court programs (APPA, 1994) include

- ◆ substance abuse awareness;
- ◆ traffic survival and safety;
- ◆ peer pressure;
- ◆ conflict resolution;
- ◆ anger management; and
- ◆ shoplifting prevention.

Whenever possible, teen court programs should contract with other agencies in the community that provide these types of workshops and services. However, if services are not available elsewhere, then teen court staff should develop the programs in-house. Staff and volunteer facilitators can be used to conduct these types of workshops.

Oral or Written Apologies to Victims

Approximately 70 percent of those responding to the APPA (1994) teen court survey indicated that an apology to victims (oral or written) is included among the sentencing options available to teen jurors in their programs. A victim may not desire contact from the offender, even in the form of an apology. Therefore, before an offender contacts a victim, teen court staff should discuss this sentencing option with the victim. The victim also should be informed of the procedure that will be followed if an apology is ordered.

Programs should establish procedures for how oral and written apologies will be made by

considering the following questions:

- ◆ Who is responsible for contacting victims to make arrangements for oral apologies?
- ◆ Will an adult (e.g., teen court staff, parent) be required to accompany the defendant making the oral apology?
- ◆ If not accompanied by teen court staff, how will the fulfillment of the oral apology be verified?
- ◆ Will written apologies be collected and screened by teen court staff prior to being sent to victims?

When determining these policies and procedures, program organizers and staff should make every effort to focus on protecting victims from potential harassment and further victimization by the offender.

Essays

Essays are another popular sentencing option used by teen courts. Generally, essays vary in length (e.g., 100-1,000 words) and are assigned to defendants, by the teen jury, on a topic related to their offense. According to APPA (1994), topics could include

- ◆ how shoplifting affects the community;
- ◆ the harmful effects of alcohol and drug use by adolescents;
- ◆ the dangers of drinking and driving; and
- ◆ how to avoid negative peer pressure.

Determining Additional Sentencing Options and Services

In addition to the traditional sentencing options described above, many teen court programs have implemented other types of sentencing options and additional services for youth participants in the program (defendants, volunteers). Additional sentencing options identified through the APPA (1994) teen court survey appears in Figure 6-4. Programs are encouraged to be

creative when considering the types of services that can be provided. This section highlights some of the ways in which teen court programs are (1) attempting to increase peer interaction within their programs and (2) trying to elevate awareness among participants of the effect crime has on victims and the community.

Figure 6-4: Additional Teen Court Sentencing Options

Additional Sentencing Options	
◆	Counseling
◆	Curfews
◆	Limited home restrictions
◆	Chores at home
◆	Apology to parents
◆	Jail tours
◆	Attendance at an adult criminal proceeding (e.g., arraignment, trial)
◆	Presentation to a small group

Source: APPA, 1994

Peer Discussion Groups

An informal discussion group for teens, called Peer Circle, was designed by the Sarasota Teen Court Program in Sarasota, Florida. This group meets for one hour prior to the hearings on the evening in which teen court is held. All teen court defendants are required to attend and participate in two sessions to complete their teen court obligation; however, teens may attend the group as often as they like. Topics of the discussions are decided by the youth and have included racial tensions, divorced families, and parent/child relationships. Although discussion is driven by the teens, an adult facilitator is present to aid the process, if necessary (Sarasota County Teen Court Program, nd).

According to Kathleen Self, Sarasota Teen Court Program Coordinator, in addition to offering a forum for youth to seek guidance and input from their peers on issues of importance and concern to them, the Peer Circle has been an invaluable

tool for preparing defendants and youth volunteers for their roles as jurors. All defendants are required to attend the Peer Circle before serving jury duty. These groups are held prior to the teen court hearings; therefore, it gives the youth an opportunity to interact and practice listening, assertiveness, and problem-solving skills before they participate on a jury. This approach has helped reduce problem behavior and conflicts that sometimes occur during jury deliberations.

Tutoring

One factor identified in research as influencing delinquency is poor school performance (OJJDP, 1993). Drug use also has been correlated with school failure (Johnston, O'Malley, and Bachman, 1994). To address this issue, some teen courts have incorporated tutoring as a sentencing option for defendants and as a service for teen court participants. Programs either have accessed local school resources for this service (e.g., after-school tutoring programs) or attempted to incorporate this service in-house, through the use of adult or youth volunteers.

Special Events

Youth involved in teen court programs in North Carolina indicated during a meeting with APPA project staff that they would be interested in attending special events (outside of teen court hearings and training sessions) sponsored by the teen court program. They stated that many times they do not interact socially with other youth participating in the teen court program because they may attend different schools or are not part of the same social network. There often is too much activity on the days and evenings teen court is held, so the youth do not always have an opportunity to get to know each other very well.

The LaPorte Teen Court Program in Indiana encourages informal interaction and association among all of its participants. The program sponsors various special events aimed at building informal relationships among the youth

and providing youth who may not have positive social outlets a safe environment and a group to which they can belong. Examples of special events teen court programs can sponsor include

- ◆ pizza parties;
- ◆ volunteer recognition picnics;
- ◆ short trips (e.g., amusement parks);
- ◆ midnight bowling; and
- ◆ formation of a team for a local sporting league (e.g., softball).

Peer Mediation

Mediation can assist youth in developing alternative solutions to problems while increasing communication skills to help them avoid future conflicts. Some teen courts, such as the Cumberland County Teen Court in Fayetteville, North Carolina, and the Anchorage Youth Court in Alaska, have developed peer mediation programs in conjunction with the teen court. In some programs, mediation may be ordered when the jury determines (with victim consent) that it may be a more appropriate means of reaching a sentence. Other programs have implemented it as a service sometimes offered in lieu of a teen court hearing.

For example, the Anchorage Youth Court Mediation Program offers students an opportunity to resolve their disputes through mediation. Youth court members are trained by adult mediators to perform the role of mediators in workshops covering basics of collaborative negotiation, methods, and ethics. Youth mediators also participate in regularly scheduled biweekly training sessions under the guidance of volunteer adult mediators. Once trained, mediation sessions are handled by two student mediators working as a team under the supervision of an adult mediator (Anchorage Youth Court, nd).

Victim Services

As stated previously, victims should be given a more active role in the juvenile justice process. Meaningful involvement can help restore losses sustained by victims and increase their satisfaction with the justice process (Erez and Tontodonato, 1992).

As mentioned in Chapter 4, holding youth accountable requires that they develop an understanding of how their behavior impacts others (i.e., victims, family, community); therefore, teen court programs should implement services that raise offenders' awareness of the impact of crime on victims. In addition to services related to offender awareness, there are additional services that can be incorporated within teen court programs that serve victims directly. These services include

- ◆ input;
- ◆ restitution;
- ◆ notification; and
- ◆ information and referral services.

Victim Awareness

Victim impact panels can be used to help educate offenders about the experience of criminal victimization by having several victims testify as to how their lives were affected by the crimes committed against them (Sinclair, 1994). For victims who choose to do so, it offers an avenue for meaningful participation in the criminal justice system. It also can have a powerful impact on the offenders who attend. Figure 6-5 outlines some of the values these panels can have for offenders and victims. While these values are specific to drunk driving cases, they can be generalized to other types of offenses as well.

Rather than take responsibility for organizing these panels, several teen court programs have

been able to locate and utilize other agencies within their communities that offer this service (e.g., local sheriff's office, local chapters of Mothers Against Drunk Driving).

Figure 6-5: Value Associated with Victim Impact Panels

Value For Attending Offenders
<p>If the victim's stories are told in person from the heart, in neither a blaming nor accusatory way, it can</p> <ul style="list-style-type: none"> ◆ allow offenders, perhaps for the first time, to consider the pain and suffering drunk driving can cause to other people; ◆ help offenders move beyond being "stuck" in focusing on their own "bad luck"; ◆ serve as a first step in breaking down denial of alcoholics or those addicted to other drugs; ◆ imprint images of real people in offenders' minds, which may replay when drinking and driving is again an option; and ◆ change behavior and save lives.
Value For Panel Members
<p>By serving on a victim impact panel, victims:</p> <ul style="list-style-type: none"> ◆ find that the telling of their story lightens their personal pain, which promotes their own healing process; ◆ experience something positive from a previously devastating event; and ◆ believe that through telling their stories they may be preventing some other family from having to suffer a similar victimization.

Source: Lord, 1990, pp. 9-10.

Taking this idea on a slightly different tangent, the Sarasota Teen Court Program in Florida is seeking funding from their local Junior League to develop and organize *peer* impact panels. They plan to use these panels to handle specific charges, such as driving-under-the-influence cases, from traffic court. Youth who have lost family members to drunk driving or have family members with serious drinking problems will be asked to testify on the peer impact panel. The Sarasota program hopes that hearing the effects of these crimes from youth who have been affected, as opposed to listening mostly to adult victims, will have more of an impact on youth defendants (Sarasota Teen Court Program, nd).

Another way to educate youth on the effect crime has on others is by conducting victim impact classes. These classes provide information to youth on the financial, emotional, and physical consequences of crime and often have victims who volunteer to serve as facilitators for the classes. The California Youth Authority developed a model curriculum entitled *Impact of Crime on Victims*, that is available for use and can be adapted by programs desiring to implement this type of class.¹

Victim Input

A goal often cited by teen court programs is to hold offenders accountable. As discussed previously, this goal requires that restitution for crime-related losses be made to communities and victims (Bazemore and Umbreit, 1994). To facilitate this process, victims should be afforded the opportunity to provide information on the impact that the crime had on their lives. Information solicited for this purpose can be put in the offender's file and used during the sentencing process. A victim impact statement

¹For more information about the *Impact of Crime on Victims* curriculum contact the Office of Prevention and Victim Services, Department of Youth Authority, 4241 Williamsborough Dr., Suite 214, Sacramento, California 95823; (916) 262-1392.

(VIS) is one method of eliciting victim input. These statements can be provided in oral, written, audio, or video form. A VIS may have been completed prior to the teen court stage (e.g., at the time the complaint was made). If so, then the VIS should be supplied to and reviewed by teen court staff, and the victim should have the opportunity to update the information. A sample Victim Impact and Restitution Statement used by the Manatee Teen Court Program in Bradenton, Florida, appears in Appendix D.

In Sunbury, Pennsylvania, all victims of juvenile crime have the opportunity to submit a VIS. When offenders are referred to the Northumberland County Teen Court Program, teen court staff receive a copy of the VIS, and the peer jury has access to the information for use in sentencing.

When contact with victims is initiated, program coordinators should be prepared to allow victims to talk, ventilate, and express their feelings. In some instances, it could be the first time a victim is contacted after the crime. Therefore, those communicating with victims should be knowledgeable and trained to react and respond appropriately to the vast range of emotions they may encounter. Whether contact occurs over the phone or face-to-face, coordinators should listen carefully, ask open-ended questions, and allow room for clarification (Seymour, 1994). Figure 6-6 provides examples of some basic victim validation skills that can be used when speaking with victims.

Restitution plays a key role in the victims' right to be made whole by providing an avenue for reimbursing victims for their losses.

Victim Restitution

Restitution plays a key role in the victims' right to be made whole by providing an avenue for reimbursing victims for their losses. In addition, it is vital as a means of ensuring accountability

from the juvenile offender (ACA Victims Committee, 1994). Approximately 53 percent of teen court programs responding to the APPA (1994) teen court survey allow monetary restitution to be ordered as part of the jury's sentence. To hold offenders accountable and provide victims with this needed service, there must be strict accountability on the part of the offender to pay and the agency to effectively and efficiently collect and disburse payments. There also should be a mechanism for handling defendants who become delinquent in payments.

Figure 6-6: Basic Victim Validation Skills

Basic Victim Validation Skills

- ◆ Tell the victim to whom they are speaking.
- ◆ Address the victim by name. (How the victim would like to be addressed should be clarified early in the conversation.)
- ◆ Say, "I am sorry."
- ◆ Say, "It is not your fault."
- ◆ Let the victim know that their input is valued and important.

Source: Seymour, 1994

In *Compilation of Policy and Procedure Provisions from Juvenile Restitution Programs*, Munsterman and Henderson (1987) discuss the following issues that should be considered when managing restitution payments:

- ◆ **Procedures for payment.** A procedure should be outlined concerning how payments will be made by the youth. This procedure should specify what types of payment will be accepted (e.g., cash, check, money order), to whom the payment is to be submitted (e.g., teen court coordinator, clerk's office, probation officer), and when and how often payments are to be made (e.g., on the first day of each month). A contract outlining

these responsibilities should be developed that is signed by the defendant and their legal guardian.

- ◆ **Monitoring of payment plan.** On a monthly basis, teen court staff should monitor payments made by comparing the amounts of monies due to the amounts of monies paid to victims for each case in which restitution was ordered.
- ◆ **Disbursement of restitution to victims.** An important issue to consider when making these guidelines is at what intervals payments will be made to victims (e.g., monthly, paid in full). These guidelines need to be communicated to defendants and to victims so they will know what to expect from the program. Programs relying on outside agencies (e.g., clerk's office, probation office) to collect and disburse payments should coordinate with these agencies when establishing these guidelines.
- ◆ **Priority of payments.** Programs will need to establish policies for how cases will be handled when there are codefendants owing restitution to the same victim and when a defendant owes restitution to multiple victims (e.g., who will receive payment first).
- ◆ **Noncompliance with restitution order:** Programs should establish a policy that states how many days a defendant can be delinquent in payment before further action will be taken. The policy also should stipulate all actions to be taken when that time has elapsed (e.g., warning letter to defendant, status letter to victim, personal meeting with defendant and guardian to discuss reasons for failure to comply). It should state further what the final consequence is for nonpayment (e.g., unsuccessful termination from the program).

Victim Notification

Notification refers to providing information to victims concerning their offenders' status. Especially in cases in which input was acquired

from victims for the purposes of sentencing, victims should be informed of the outcome of the hearing. In cases where restitution is ordered, victims should be notified of the amount of restitution awarded and kept informed of the status of the defendant's compliance to that order. Programs should seek the advice of legal counsel concerning confidentiality issues when designing notification procedures.

Information and Referral Services

Often victims do not understand how the juvenile justice system works. Teen court staff can help remedy this situation by providing victims with information on the system in general, the teen court program in particular, how the process should work from this stage on, and whom they can contact for additional information.

Victims experience a wide range of needs in the aftermath of a crime, both short- and long-term. There are approximately 10,000 victim service organizations that provide assistance and support to victims of both adult and juvenile offenders (ACA Victims Committee, 1994). At the community level, it is extremely beneficial to have a roster or manual that comprehensively describes the available and applicable resources that exist for victims of crime. This type of information can be uncovered during the needs and resources assessment and can later be supplied to victims (as well as teen court participants) in need of services.

FORMING INTERAGENCY AGREEMENTS ²

Often, because of time and budgetary constraints and limitations of staff expertise, teen court programs must look to other organizations in the

²Materials excerpted and adapted from Fulton, Stone & Gendreau (1994) *Restructuring Intensive Supervision Programs: Applying What Works*, pp. V1-16 through V1-23, Lexington, KY: APPA.

community to assist in the provision of services. Networking, collaborating, and brokering with outside agencies can help decrease role confusion and duplication of services among service providers in the community. Before developing interagency agreements and contracts with agencies for services, program organizers and staff should have adequate knowledge about the services being provided and about the agency as a whole.

Networking, collaborating, and brokering with outside agencies can help decrease role confusion and duplication of services among service providers in the community.

Factors to Be Considered in the Selection Process

According to DeHoog (1984), the maximum efficiency in interagency relationships will be realized when a teen court program has adequate knowledge of

- ◆ the potential service providers and their past performances;
- ◆ the actual services, especially as they relate to the needs of consumers;
- ◆ the method of service; and
- ◆ the cost of the various components of the services.

Lieber (1987) expands on DeHoog's elements when he suggests that programs should require potential service providers to detail

- ◆ the population being served;
- ◆ an estimate on the flow and source of clients (i.e., youth offenders);
- ◆ methods of referral to the program;
- ◆ methods of evaluation of client needs;
- ◆ methods for providing the services that address client needs and the rationale for the chosen methods of service delivery;

- ◆ methods to be used for monitoring clients and providing feedback to referral sources;
- ◆ criteria for positive or negative termination from the program; and
- ◆ followup techniques.

It is imperative that program staff have sufficient knowledge of prospective service providers. In the case of an individual, such as a psychiatrist, psychologist, or substance abuse counselor, program staff should ask for a resume and inquire within the local professional community about the individual's capabilities and reputation (Beto, 1987). Knowing how to evaluate the credentials of an individual professional is important in the selection process. For example, the professional's resume may reflect a lengthy list of research articles published in professional journals. While this speaks well of the individual, it also may indicate that more time has been spent in an academic setting than on practical experience, which could impact the quality of services delivered (Beto, 1987).

Lieber (1987) states that before contracting with an agency or organization, program staff should be sufficiently satisfied with the agency's

- ◆ organizational capacity for effective and efficient management;
- ◆ corporate capacity to provide the service;
- ◆ corporate status (individual, partnership, corporation, nonprofit, or for-profit);
- ◆ clear lines of responsibility for daily operation;
- ◆ contact person and established lines of communication; and
- ◆ role for its board of directors in the management of the organization.

Much information may be gleaned from contacts with other referral sources. Program staff should ask for a list of references from a prospective service provider. Contact with other

referral sources may yield information on the quality of services, staff credibility, and response to emergency situations (Beto, 1987).

It also may be beneficial to contract with universities for particular services (e.g., a counseling program operated by a psychology department; alcohol education programs offered by a health or traffic safety department). Satisfaction with this type of relationship will depend to a great degree on the professor or faculty member responsible for the program. For example, a professor whose background is in research may not be particularly interested in direct service delivery or providing doctoral students with meaningful practical experiences (Beto, 1987).

At various points throughout this *Guide*, the importance of a detailed needs assessment has been stressed. An important part of the needs assessment is acquiring sufficient information to evaluate prospective service providers. If the organization or professional is incapable of delivering the services desired or does not share the vision of the teen court staff, then unsatisfactory results may be expected.

Negotiating the Agreement

Contract negotiation should not be an unpleasant experience. It usually involves two individuals, each representing their respective organizations, who want to form a cooperative relationship, with one supplying clients and the other providing a service. During this process, a joint purpose statement may serve as the foundation for a more formal and rewarding relationship between a teen court program and a service provider. The negotiation period provides an excellent opportunity to resolve issues not formally addressed during earlier exchanges.

Some areas requiring further clarification may include

- ◆ treatment and services provided;
- ◆ notification and discharge communication;
- ◆ treatment and referral criteria;
- ◆ confidentiality issues;
- ◆ frequency and type of client contact;
- ◆ assessment criteria;
- ◆ frequency and type of contact between agencies; and
- ◆ success and failure criteria.

Writing the Contract

Scherman (1987) suggests having an attorney assist with the review and implementation of the contract. The written contract, or interagency agreement, is a legal document that protects both parties; it must be realistic and reasonable and have explicit and enforceable provisions (Marlin, 1984).

While contracts may differ depending on the jurisdiction, roles of the parties, and services desired, they contain many common elements. Figure 6-7 contains a list of primary elements that should be in a contract for services and a list of secondary elements that also may be included depending on statutory requirements and local practices.

Evaluating the Services Delivered

The final component of the contract process is evaluation. Determining how well the interagency partnership works is critical to the efforts of organizations that try to change people (Glaser, 1988). Measures of evaluation include

- ◆ client outcome;
- ◆ system effectiveness;
- ◆ cost-benefits; and
- ◆ client and staff satisfaction.

Figure 6-7: Contract Elements

CONTRACT ELEMENTS	
Primary Elements	
◆	Opening paragraph: Defines the relationship between the program and the service provider.
◆	Scope of the contract: Lists the services to be provided and reflects the responsibilities of the program and the service provider.
◆	Compensation: Provides a description of the method by which the service provider will be reimbursed for specific services rendered.
◆	Payment: Insures that payments for services will be governed by statute or local jurisdiction policy.
◆	Affirmative action: Usually requires that a service provider will not discriminate in areas of employment or client service.
◆	Confidentiality: Establishes an understanding that the service provider must abide by all applicable statutes concerning the handling and disclosure of client information.
◆	Cancellation/modification: Provides the methods, restrictions, and time frames that the program and the service provider must follow to modify or cancel the contract.
◆	Effective date/termination date: Provides the time frame in which the contract will be in effect.
Secondary Elements	
◆	Extensions: Provides an opportunity to eliminate the need for preparing a new contract if there is a high probability of utilizing the same services the following year.
◆	Indemnity: Attempts to ensure that the service provider will “hold harmless” the program against any liability or claims in which suit may be brought.
◆	Insurance: Should specifically outline the insurance requirements and certificates the service provider will be required to obtain and maintain throughout the contract period.
◆	Bonding: Requires the service provider to maintain an employee fidelity bond.
◆	Independent contractor: Attempts to protect the program against an interpretation that the contract implies that the service provider is a partner or employee.
◆	Audits: Provides that the program has the right to examine and copy any documents of the service provider relating to the contract.
◆	Reports and monitoring procedures: Outlines the procedures the service provider will follow in order for the program to properly monitor the contract.
◆	Incorporation status: Requires those service providers that are nonprofit corporations to furnish a copy of the certificate of incorporation to the program.
◆	Assignment: Provides the parameters in which the service provider can assign its responsibilities as they relate to a contract with another agency.

Source: APPA and National Association for State Alcohol and Substance Abuse Directors, 1992; Scherman, 1987; Marlin, 1984

In order to effectively evaluate the delivery of contract services, it is important that measurable objectives are agreed upon at the onset of the interagency partnership.

In order to effectively evaluate the delivery of contract services, it is important that measurable objectives are agreed upon at the onset of the interagency partnership. In addition, a management information system should be developed by the teen court program, with input from the service provider, that guarantees that data pertinent to the treatment initiative may be properly collected, organized, reviewed, and transmitted as needed (Scherman, 1987). Unfortunately, it is not uncommon for agencies to begin programs, adopt strategies, and enter into cooperative relationships without giving sufficient thought to gathering data or scientifically measuring outcomes at a later date (Glaser, 1988). Agencies can avoid this pitfall by focusing on evaluation issues during the early stages of the contract process.

Maintaining the Partnership

In order for interagency partnerships to survive, the parties involved must work at the relationship. One of the key factors in maintaining a positive relationship is constant communication. Through communication, roles can be clarified, problems can be resolved before they become insurmountable, and a mutual respect can be fostered.

A few examples of positive forms of communication include

- ◆ periodic telephone conversations;
- ◆ mutual training workshops;
- ◆ joint staff meetings;
- ◆ informal meetings over lunch;
- ◆ scheduled social events; and
- ◆ frequent staff interaction.

The development of meaningful communication between the teen court program and the service provider will ensure a partnership that appropriately aids the offender and enhances the efforts of the juvenile justice system.

Through communication, roles can be clarified, problems can be resolved before they become insurmountable, and a mutual respect can be fostered.

CONCLUSION

The types of services identified in this chapter represent only a fraction of what teen court programs provide. They are presented to give programs an idea of the various ways in which services can be designed to benefit offenders, victims, and the community. If viewed strictly as a youth program, teen court programs can lose sight of the ways in which they can impact others in the community. Involving youth, victims, and community members in discussions concerning needed services can help program organizers begin to develop a program that truly does impact and benefit the offenders, victims, and community as a whole.

CHECKLIST FOR PROGRAM SERVICES

Have teen court program organizers or staff —

- ☐ Examined the needs of youth in the community?
 - ☐ Identified current interests of youth in the community?
 - ☐ Identified current needs of youth in the community?
- ☐ Examined the needs of victims?
 - ☐ Developed an understanding of the primary needs and wants of victims in the community?
 - ☐ Identified any legislation pertaining to victim rights within the state or local jurisdiction?
 - ☐ Identified services currently provided to victims by the local juvenile justice system?
- ☐ Examined the needs of the community?
 - ☐ Identified the top concerns of the community related to juvenile crime?
 - ☐ Determined which of these concerns the teen court program can address?
 - ☐ Identified what services currently are provided in the community to address these types of concerns?
- ☐ Designed sentencing options for offenders?
 - ☐ Community service
 - ☐ Determined whether there will be a predetermined range of hours that can be imposed based on the type of offense, or whether jury panels will be allowed flexibility and discretion when assigning hours?
 - ☐ Developed a community service program or component that attempts to place youth in community service sites or projects that are meaningful and worthwhile, and allow the youth to see the benefits of their contribution?
 - ☐ Established a policy concerning whether youth will be assigned to specific sites or whether they will choose from a list of community service sites and be responsible for making all the arrangements?
 - ☐ Jury duty
 - ☐ Established a policy that states whether all defendants will be required to serve jury duty as part of their sentence?
 - ☐ Determined if there will be a predetermined range of times a defendant can sit on a jury from which the jury panel can choose?

- ☐ Educational workshops
 - ☐ Determined the topics that will be covered?
 - ☐ Determined whether workshops will be developed in-house or contracted out to other agencies?
- ☐ Apologies to victims
 - ☐ Established a policy that states who will contact victims to ascertain if they wish to receive an oral or written apology from the defendant?
 - ☐ Determined the procedure for making oral and written apologies?
 - ☐ Determined how the receipt of an apology to a victim is to be verified?
- ☐ Essays
 - ☐ Determined whether the jury will be provided with a list of certain topics from which to choose, or whether the selection of appropriate topics will be left to their discretion?
 - ☐ Determined if there will be a predetermined minimum and maximum limit on the number of words a jury panel can assign?
- ☐ Monetary restitution
 - ☐ Outlined the procedures for payment and how payment will be monitored?
 - ☐ Determined how restitution will be disbursed to victims?
 - ☐ Established a policy concerning who will receive payment first in cases involving multiple victims (i.e., priority of payment)?
 - ☐ Established a policy for how cases will be handled when a youth does not comply with the restitution order?
- ☐ Examined additional sentencing options and program services
 - ☐ Peer discussion groups
 - ☐ Tutoring
 - ☐ Peer mediation
 - ☐ Victim impact panels or classes
 - ☐ Victim input
 - ☐ Victim notification
 - ☐ Information and referral services
 - ☐ Special events
 - ☐ Other

- ☐ Identified agencies and organizations in the community that can provide services for the teen court program?
 - ☐ Recorded information on each agency and organization regarding
 - ☐ the type of services provided (related to the needs of teen court participants);
 - ☐ the population served by the agency;
 - ☐ the cost associated with the services;
 - ☐ the way in which referrals are made to the agency;
 - ☐ the manner in which clients are monitored;
 - ☐ criteria for successful and unsuccessful completion of the program;
 - ☐ how the agency evaluates its services; and
 - ☐ information on the staff's capabilities (i.e., credentials) and reputation in the community.
- ☐ Negotiated an interagency agreement or contract for service?
 - ☐ Received clarification on
 - ☐ treatment and services provided;
 - ☐ notification and discharge communication;
 - ☐ treatment and referral criteria;
 - ☐ confidentiality issues;
 - ☐ frequency and type of client contact;
 - ☐ assessment criteria;
 - ☐ frequency and type of contact between agencies; and
 - ☐ success and failure criteria.
- ☐ Written interagency agreements or contracts?
 - ☐ Consulted legal counsel?
 - ☐ Ensured the written contracts or interagency agreements are realistic, reasonable, and have explicit and enforceable provisions?
- ☐ Evaluated the services delivered?
 - ☐ Developed measurable objectives that were agreed upon at the onset of the interagency partnership as to how to evaluate
 - ☐ client outcome;
 - ☐ system effectiveness;
 - ☐ cost-benefits; and
 - ☐ client and staff satisfaction.
- ☐ Maintained partnership and communication with service providers?
 - ☐ Identified and established techniques and strategies for maintaining a positive relationship and solid communication with service providers?